

Application No. 09/425,436

AMENDMENT E AND RESPONSE TO OFFICE ACTION dated January 25, 2006

Reply to Office Action of October 25, 2005

REMARKS

Applicants continue to thank the Examiner for the allowance of Claims 2-6 and 8-19. In response to Applicants' Appeal Brief dated April 29, 2005, prosecution was re-opened in an Office Action dated October 25, 2005.

Claim 21 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claim 21 is amended to recite "the display" and "the temperature sensing device" for which antecedent basis in independent claim 20 is provided. The amendment to claim 21 places this claim in a better position for Appeal. Accordingly, Applicants respectfully request entry of this amendment for purposes of Appeal.

Claims 20-23 were rejected under 35 U.S.C. § 103 as being unpatentable over combinations of US 6,293,271; DE 75 27 182; and US 6,004,000. As provided for in the Office Action, the Applicants have elected to file concurrently with this Amendment a new appeal by filing a Notice of Appeal under 37 C.F.R. § 41.37. For convenience of the Examiner, copies of the Notice of Appeal and the New Appeal Brief are enclosed herewith. The new Appeal Brief responds to the rejections of claims 20-23 under 35 U.S.C. § 103.

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The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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